

Serial No.: 10/672,057

Attorney Docket No.: 2003P08220US

**REMARKS**

Upon entry of the instant amendment, Claims 1-19 are pending. Claim 1, 4, 5, 7, and 14 have been amended to more particularly point out applicants' invention. Claim 8 has been amended in response to an objection.

Claim 8 was objected to because of an informality. Claim 8 has been amended to obviate the objection.

Claims 1-19 were provisionally rejected under the doctrine of obviousness-type double patenting over claims 1-32 of co-pending U.S. Patent Application Serial No. 10/672,641, and claims 1-31 of co-pending U.S. Patent Application Serial No. 10/672,364. Applicants will consider filing a terminal disclaimer when allowable subject matter is indicated.

Claims 1-3, 4, 5, and 14, and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis et al., U.S. Patent Publication No. 2003/0018704 ("Polychronidis") in view of Barnett, U.S. Patent No. 6,958,688 ("Barnett") and Yugami, U.S. Patent Publication No. 2003/0027583 ("Yugami"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Polychronidis, Yugami, or Barnett, either singly or in combination.

As discussed in the Specification, aspects of the present invention relate to a telecommunications system including a plurality of network clients including a positioning controller and a communications controller; and a positioning server including a coordinating controller for maintaining a database of network clients to be tracked, said database further including position-presence correlation information for individual users; wherein said positioning server is adapted to receive position information from said plurality of network clients and distribute presence information related to said position information as one or more e-mails to one or more network enterprise devices. In some embodiments, the location information may be transmitted from the client devices to the server via a toll-free telephony interface. The server converts the received information into an e-mail format and transmits information as such to the clients.

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According to certain embodiments, watchdog and hysteresis timers are provided to ascertain an availability of a device and/or prevent toggling of transmission when a boundary is crossed or a loss of signal is detected.

Thus, claim 1 recites, "wherein said positioning server is adapted to receive position information from said plurality of network clients via a toll-free telephony interface and distribute presence information related to said position information formatted into one or more e-mail messages to one or more network enterprise devices" and additionally has been amended to recite "wherein the plurality of network clients are configured to maintain a set of boundary perimeter rules and communicate a change via said toll-free telephony interface when a corresponding one of the plurality of network clients crosses the boundary perimeter;

wherein a watchdog timer is maintained for confirmation the plurality of network clients are available;

wherein the system checks for a new presence rule responsive to detection that one of the plurality of network clients is not available; and

wherein a hysteresis timer is maintained upon detection of loss of a positioning signal or a boundary perimeter crossing to prevent toggling of a presence update."

Claim 4 has been amended to recite "wherein said positioning server is adapted to receive position information from said plurality of network clients via a toll-free telephone interface and distribute presence information related to said position information as one or more text messages to one or more network enterprise devices" and "wherein said plurality of network clients are adapted to receive updates to said position-presence correlation information as e-mails from said positioning server" and wherein the plurality of network clients are configured to maintain a set of boundary perimeter rules and communicate a change via said toll-free telephony interface when a corresponding one of the plurality of network clients crosses the boundary perimeter;

wherein a watchdog timer is maintained for confirmation the plurality of network clients are available;

wherein the system checks for a new presence rule responsive to detection that one of the plurality of network clients is not available; and

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wherein a hysteresis timer is maintained upon detection of loss of a positioning signal or a boundary perimeter crossing to prevent toggling of a presence update;" and claim 5 has been amended to recite "a location control unit adapted to receive and maintain location information for said plurality of users via a toll-free telephone interface, said location information correlated with said presence information" and "an e-mail generation unit adapted to generate presence status e-mail and location-presence correlation information from said location information for network users" and wherein the location control unit is configured receive a an update from one of the plurality of users crosses a boundary perimeter;

wherein a watchdog timer is maintained for confirmation the plurality of users are available;

wherein the system checks for a new presence rule responsive to detection that one of the plurality users is not available; and

wherein a hysteresis timer is maintained upon detection of loss of a positioning signal or a boundary perimeter crossing to prevent toggling of a presence update."

Claim 14 has been amended to recite "wherein the telecommunications device is configured to maintain a set of boundary perimeter rules and communicate a change via said toll-free telephony interface when it crosses the boundary perimeter;

wherein a watchdog timer is maintained for confirmation of availability;  
wherein a hysteresis timer is maintained upon detection of loss of a positioning signal or a boundary perimeter crossing to prevent toggling of a presence update."

For reasons similar to those discussed with reference to the previous Official Action, applicants believe these claims are allowable. In addition, applicants respectfully submit that none of the references relates to a system including, inter alia, the watchdog and hysteresis timers as recited in the claims at issue.

Polychronidis does not relate to a GPS system at all. Yugami transmits GPS coordinates at an interval T without consideration of a watchdog or hystersis timer; and Barnett requires manual activation of, e.g., a smart card upon detection of a stolen device. Because the references either teach away from or contain no teaching whatsoever of the claimed invention, the Examiner is respectfully requested to

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reconsider and withdraw the rejection.

Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis in view of Yugami, Barnett, and Chan, U.S. Patent No. 6,760,759 ("Chan"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Polychronidis or Yugami, Barnett, or Chan, either singly or in combination.

Polychronidis, Barnett, and Yugami have been discussed above. Chan merely provides a mobile telephone with wireless dial up capability. However, like Polychronidis, Barnett, and Yugami, Chan does not appear to relate, inter alia, to a watchdog or hysteresis timer, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 7-13, 16 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis in view of Yugami, Barnett, and Yoakam et al., U.S. Patent No. 6,658,095 ("Yoakam"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Polychronidis, Yugami, Barnett, or Yoakam, either singly or in combination.

Claim 7 has been amended to recite "transmitting a positioning update from a remote device when the remote device crosses a boundary perimeter; maintaining a watchdog timer for confirmation of availability; and maintaining a hysteresis timer upon detection of loss of a positioning signal or a boundary perimeter crossing to prevent toggling of a presence update." Polychronidis, Barnett, and Yugami have been discussed above. Yoakam is relied on for allegedly teaching customized presence information delivery. However, like Polychronidis, McDowell, Barnett, and Yugami, Yoakam does not appear to recognize, inter alia, watchdog or hysteresis timers, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 6, 17 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis in view of Yugami, Yoakam, Barnett, and further in view of Chan. Each of these references has been discussed above. None of the references teach, inter alia, an e-mail controller for receiving updates at the client, as

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generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

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Respectfully submitted,

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